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PATENT



DOCKET NO.: CARP-0094

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

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Rosenthal et al.

JUN 06 2002

Serial No.: 09/939,964

Group Art Unit: 1652

Filing Date: August 27, 2001

Examiner: Not yet assigned

TECH CENTER 1600/2900

For: GENOMIC SEQUENCE OF NGR 234 SYMBIOTIC PLASMID, ITS GENE  
MAP, AND ITS USE IN DIAGNOSTICS AND GENE TRANSFER IN  
AGRICULTURE

DATE OF DEPOSIT: May 14, 2002

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Gwilym John Owen Attwell  
TYPED NAME: Gwilym John Owen Attwell  
REGISTRATION NO.: 45,449

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

- ☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

- ☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐the first or ☐second After Final Submission, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
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- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).
- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- EXCEPT THAT:
- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☒ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:

☒ Copies of references AA-AN listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 09/214,808, filed June 22, 1999.

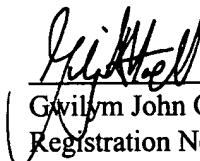
☒ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

This form is submitted in duplicate.

There are no listed references which are not in the English language.

Date: *May 14, 2002*

  
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## Form PTO-1449 Modified

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CARP-0094Serial No.  
09/939,964

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Applicant  
Rosenthal et al.

JUN 06 2002

Filing Date  
August 27, 2001Group TECH CENTER 1600/2900  
1652List of Patent and Publications  
Cited by Applicant  
(Use several sheets if necessary)U.S. Department of Commerce  
Patent and Trademark Office

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AA	Appelbaum, E.R. et al., " <i>Rhizobium japonicum</i> USDA 191 has Two <i>nodD</i> Genes that Differ in Primary Structure and Function," <i>J. Bacteriology</i> , 1988, 170(1), 12-20
AB	Badenoch-Jones, J. et al., "Structural and functional analysis of nitrogenase genes from the broad-host-range <i>Rhizobium</i> strain ANU240," <i>Gene</i> , 1989, 77, 141-153
AC	Fellay, R. et al., "Organization of host-inducible transcripts on the symbiotic plasmid of <i>Rhizobium</i> sp. NGR234," <i>Mol. Microbiol.</i> , 1995, 16(4), 657-667
AD	Freiberg, C. et al., "Sequencing the 500-kb GC-rich Symbiotic Replicon of <i>Rhizobium</i> sp. NGR234 Using Dye Terminators and a Thermostable "Sequenase": A Beginning," <i>Genome Res.</i> , 1996, 6(7), 590-600
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AF	Horvath, B. et al., "Host-specific regulation of nodulation genes in <i>Rhizobium</i> is mediated by a plant-signal, interacting with the <i>nodD</i> gene product," <i>EMBO J.</i> , 1987, 6(4), 841-848
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AH	Meinhardt, L.W. et al., "Molecular cloning and characterization of a sym plasmid locus that regulates cultivar-specific nodulation of soybean by <i>Rhizobium fredii</i> USDA257," <i>Mol. Microbiol.</i> , 1993, 9(1), 17-29
AI	Nayudu, M. et al., "Analysis of R-primes demonstrates that genes for broad host range nodulation of <i>Rhizobium</i> strain NGR234 are dispersed on the Sym plasmid," <i>Mol. Gen. Genet.</i> , 1987, 206, 326-337
AJ	Perret, X. et al., "Subtraction hybridisation and shot-gun sequencing: a new approach to identify symbiotic loci," <i>Nucl. Acids Res.</i> , 1994, 22(8), 1335-1341
AK	Perret, X. et al., "Canonical ordered cosmid library of the symbiotic plasmid of <i>Rhizobium</i> species NGR234," <i>Proc. Natl. Acad. Sci. USA</i> , 1991, 88, 1923-1927
AL	van Slooten, J.C. et al., "Two C <sub>4</sub> -Dicarboxylate Transport Systems in <i>Rhizobium</i> sp. NGR234: Rhizobial Dicarboxylate Transport is Essential for Nitrogen Fixation in Tropical Legume Symbioses," <i>Mol. Plant-Microbe Interactions</i> , 1992, 5(2), 179-186

EXAMINER

DATE CONSIDERED



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